

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

---

STEPHANIE BAIYASI,

Plaintiff,

Case No. 11-cv-13094-TLL-CEB  
Hon. Thomas L. Ludington

vs

DELTA COLLEGE and DAVID  
BAILEY, in his individual and official  
capacity, jointly and severally,

Defendants.

---

THE MASTROMARCO FIRM  
VICTOR J. MASTROMARCO, JR. (P34564)  
MANDA L. DANIELESKI (P62597)  
Attorneys for Plaintiff  
1024 North Michigan Avenue  
Saginaw, Michigan 48602  
(989) 752-1414

CUMMINGS, McCLOREY, DAVIS & ACHO, PLC  
EILEEN K. HUSBAND (P38059)  
Attorneys for Defendants  
33900 Schoolcraft  
Livonia, MI 48150  
(734) 261-2400

---

**PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE**

NOW COMES, the Plaintiff, by through her attorneys The Mastromarco Firm and for  
her response to the Court's Order to Show Cause states more fully as follows:

1. That on August 16, 2012 this court entered a show cause as to why this case should not be dismissed for failure to prosecute.
2. That on May 10, 2012 this Court entered an Granting in Part and Denying in Part Defendant's Motion to Dismiss.
3. That as part of that Order, the court dismissed Count I of Plaintiff's Complaint citing to a lack of authority on the part of the president to make final employment decisions.
4. That subsequent to the entry of that Order the Defendants disclosed the fact that the president does in fact have such authority and that there was a policy in effect at all times material hereto that gave the president such power.
5. That the parties do stipulate and agree that Count I should be reinstated and that Defendant may reserve all other defenses not previously asserted.
6. That the parties have been diligently working on a stipulation reflecting the above and have also requested a status conference with this Court to discuss these issues.
7. That the parties request that the court entertain a stipulation to reinstate count I, grant status conference, and issue a new case management order.

WHEREFORE, the Plaintiff request the relief as set forth herein.

Respectfully submitted,

THE MASTROMARCO FIRM

Dated: August 30, 2012

By: s/Manda L. Danieleski  
MANDA L. DANIELESKI (P62597)  
Attorney for Plaintiff  
1024 North Michigan Avenue

Saginaw, Michigan 48602  
(989) 752-1414  
westervm@gmail.com

**PROOF OF SERVICE**

I hereby certify that on August 30, 2012, I presented the foregoing paper to the Clerk of the Court for filing and uploading to the ECF system which will send notification of such filing to the following: EILEEN K. HUSBAND, and I hereby certify that I have mailed by United States Postal Service the document to the following non ECF participants: N/A.

THE MASTROMARCO FIRM

Dated: August 30, 2012

By: s/Manda L. Danieleski  
MANDA L. DANIELESKI (P62597)  
Attorney for Plaintiff  
1024 North Michigan Avenue  
Saginaw, Michigan 48602  
(989) 752-1414  
westervm@gmail.com

